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# புதுச்சேரி மாநில அரசிதழ்

## La Gazette de L' État de Poudouchéry

## The Gazette of Puducherry

### PART - I

சிறப்பு வெளியீடு

EXTRAORDINAIRE

EXTRAORDINARY

அதிகாரம் பெற்ற  
வெளியீடு

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எண் } No. } 96 No. }	புதுச்சேரி Poudouchéry Puducherry	வியாழக்கிழமை Jeudi Thursday	2011 ஏற் 21 21st	குலை மீ Juillet July	21 மீ 2011 (30 Asadha 1933) 2011
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### IN THE COURT OF SUB-DIVISIONAL MAGISTRATE (NORTH) AT PUDUCHERRY

Present : P. JAWAHAR, I.A.S.,  
Sub-Divisional Magistrate (North).

M.C. No. 523/2011, Under Section 133 of Cr. P.C.

The Tahsildar,  
Taluk Office, Puducherry .. Petitioner

Versus

The Commissioner,  
Puducherry Municipality .. Counter petitioner

### CONDITIONAL ORDER UNDER SECTION 133 Cr. P.C.

Whereas, it has been made to me from the information laid by the Tahsildar, Taluk Office, Puducherry that he has conducted a personal inspection on 29-6-2011 at the pavement of the beach promenade on the basis of the news report published in page No. 4 of “Dina Malar” Newspaper, dated 29-6-2011 and submitted a report which when corroborated with the said news report shows that a large number of

street hawkers/vendors are selling fast food and fancy items using the tetra cycle carts on the beach pavement by encroaching the artificial beach space created for public passage in the Puducherry beach promenade;

Further, it was also reported by the Tahsildar, Taluk Office, Puducherry that a temporary shed has been under construction in the beach for hosting exhibition of handicrafts items which may obstruct the free movement of the general public in the beach promenade who come thereto relax and rejuvenate;

And whereas, these encroachments cause pollution to the beach environment as they produces enormous polythene and food waste, which are often dumped into the sea leading to poor public hygiene and sanitation as well;

And whereas, the beach promenade is a public area set aside for pedestrian walk. Hence, the existence of these encroachments by such hawkers/vendors obstructs the pedestrian path along the seaside;

And whereas, existence of such encroachment by hawkers amounts to violation of section 272 of the Pondicherry Municipalities Act, 1973;

And whereas, under section 98 of the Pondicherry Municipalities Act, 1973, you are empowered to remove the obstruction caused by the hawkers/vendors in the seashore areas falling under your jurisdiction;

Now, therefore, I, P. Jawahar, I.A.S., Sub-Divisional Magistrate (North), Puducherry having satisfied on the basis of records placed before me and upon personal inspection found that large number of encroachments, obstructions and unhygienic conditions exists in the artificial beach pavement causing hindrance to the free passage of the general public, do hereby direct the Counter Petitioner to take necessary action to remove the tetra cycle cart shops of the hawkers/vendors and the temporary shed in the beach area in the interest of public at large within 7 days from the receipt of this order or to appear in my Court at Puducherry [in the premises of the Office of the Sub-Collector (Revenue) North, Revenue Complex, Kamaraj Salai, Saram, Puducherry] in person or by Pleader at 3.30 p.m. on 7-7-2011 and show cause as to why this order should not be enforced upon you.

Given under my hand and seal of the court on 30th day of June 2011.

**P. JAWAHAR, I.A.S.,**  
Sub-Divisional Magistrate (North).